



Housing for people, not profit

# Tenant

*Inquilino*

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Metropolitan Council on Housing  
339 Lafayette St. PERIODICAL  
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## Make “You Have a Right to a Lawyer” a Reality in Housing Court

By Laura K. Abel

It's a scene out of your worst nightmare. You come home at the end of a long day to find legal papers saying that your landlord is evicting you from the apartment your family has lived in for 20 years. *That's OK, you think. I've seen the cop shows—“You have a right to an attorney. If you can't afford one, one will be appointed for you.”* You go to court on the scheduled day, but while your landlord is fully represented by counsel, there's no lawyer there to help you. When you ask the judge, he sends you to the table staffed by the City-Wide Task Force on Housing Court in the lobby, and to the court's Resource Center. You try both places, which give you information about your legal rights, but can't represent you before the judge.

Instead, they give you a list of local legal aid and legal services programs. But when you call their intake lines, they say that they have no lawyers available to help you for the next few weeks, and suggest that you ask for a later court date.

At your next court date, someone—you first think it's the judge's assistant but later realize it's your landlord's attorney—calls your name and hands you a “stipulation,” which appears to be an agreement between you and the landlord. It seems to say that you have to pay several thousand dollars to the landlord (which you don't have) for back rent and that if you don't you will be evicted. It says nothing about how the landlord never fixed that leak above the shower—the one that caused mold to spread all over your bathroom ceiling—or about his failure to provide heat last week. You're not sure, though; there are legal terms—like “final judgment,” “warrant to issue forthwith”—peppered throughout the document, and you're so nervous you can't think straight. The judge says you can't adjourn the case again and that you must either agree to a stipulation or proceed to trial that day with only five days to pay any judgment. You don't

know what to do. How are you supposed to figure out the housing code, Housing Court procedures, and argue against a seasoned lawyer, with no lawyer by your side—and if you lose, you lose your apartment?

### Lopsided justice

Welcome to the real world. Despite the often-repeated “You have a right to a lawyer” line, the fact is that in most civil cases—including eviction proceedings in Housing Court—there is no right to counsel. The federal and state constitutions have never been interpreted as requiring a right to counsel in these circumstances, and there is no legislation creating such a right. The federal, state and local governments all contribute to legal-aid and legal-services programs, as do foundations, firms, and private individuals, but those programs can only afford to provide lawyers for a small minority of the low-income people who need representation in

**Monday, April 4, 2005**  
7 to 8:30 pm • Doors open at 6 pm

## Mayoral candidates' night

All major party candidates have been invited to answer questions about tenant and housing issues. At press time, Fred Ferrer, Virginia Fields, Gifford Miller, and Steven Shaw had accepted.

### Haft Auditorium Fashion Institute of Technology

Building C, West 27th Street between  
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Sponsored by **Tenants & Neighbors, Metropolitan Council on Housing, and the Coalition for the Homeless**

The three organizations are sponsoring this special event as a service to the tenant, homeless, and housing activist communities. No organization has yet endorsed a candidate. (Tenants & Neighbors and Coalition for the Homeless do not endorse candidates.)  
Admission is free, but contributions will be gratefully accepted to help defray costs.

civil suits. This is certainly the case in the New York City Housing Courts. A 1993 study showed that while 98 percent of landlords had lawyers, only 12

percent of tenants did. Housing Court and the housing laws are not designed for non-lawyers

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## Home Rule Campaign Moves to City Council

By Kenny Schaeffer

Legislation that would restore New York City's home rule over rent and eviction protections has been introduced in the state Legislature by State Senator Liz Krueger and Assemblymember Vito Lopez. The identical measures—S.2735 and A.4523—would lift the restrictions in place since 1971 that have tied the City Council's hands while New York's housing-affordability crisis has steadily worsened.

Sen. Krueger has requested that the Council pass a “home-rule message” in support of this legislation—a formal declaration that the measure is viewed as vital to the city's wellbeing. Council Speaker Gifford Miller has responded enthusias-

tically, and indicates that the home-rule message will be introduced quickly, get a full hearing, and be brought to the Council floor for a vote with his strong support.

The two bills would repeal the state's 1971 “Urstadt Law,” which prohibits the city from passing more “stringent” rent regulations than those enacted by the state, or from extending rent and eviction protections to any class of housing not currently covered (such as apartments losing Mitchell-Lama or Section 8 coverage). It was named after then-state housing commissioner Charles Urstadt, who resurfaced in 1994 as head of Gov. George Pataki's transition team's housing panel,

which called for the elimination of rent regulation.

The law has prevented the city from passing its own laws to counteract the state legislature's weakening of rent regulations, from the 1971 vacancy-decontrol law to the present. In 2003, the Council voted 45-3 for a resolution urging the Legislature to repeal the Urstadt law. Instead, the Republicans in the Senate, spearheaded by Majority Leader Joseph Bruno, expanded the restrictions on the city's power, essentially leaving it with the power to declare a housing emergency but no power to do anything to address it.

Restoration of home rule was one of the main demands of the “Housing

Here and Now” demonstration on Feb. 2, when some 8,000 tenants, homeless people, and housing advocates gathered at City Hall. If the Council passes a home-rule message in support of the Krueger-Lopez bill, it will put billionaire Republican mayor Michael

Bloomberg in an awkward position: In 2003, he expressed support for the concept of home rule, but his housing czar, First Deputy Mayor Daniel Doctoroff, has vehemently denounced it. Whatever

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## Yolanda Garcia, South Bronx Activist, Dies at 53

By Bennett Baumer

Yolanda Garcia, a Bronx city-planning activist and founding member of Nos Quedamos/We Stay, died of a heart attack February 17, at the age of 53.

Garcia and other concerned South Bronx activists founded Nos Quedamos, a nonprofit community development corporation in the South Bronx neighborhood of Melrose Commons, back in 1993. Faced with a massive displacement of residents due to the city's urban renewal plans, they hoped to provide a community voice that could compete with those of politicians, wealthy developers and city planners. Nos Quedamos worked with small businesses, architects, borough leaders, and city bureaucrats to create positive change in the Bronx.

"I can't think of another time where the city came into the community affected [in order] to do the planning," said Petr Stand, an architect with Magnusson Architecture and Planning, who had

worked with Garcia since 1993. As the group's executive director, Garcia helped build thousands of new housing units, green spaces, and supermarkets, and fought for cleaner air in response to the neighborhood's asthma crisis.

At the time of her death, Garcia was spearheading the development of multiple projects, including a senior citizen residence and a 124-unit moderate-income housing complex with a C-Town supermarket located on Melrose Avenue. Garcia's daughter, Yolanda Gonzalez, has now taken over her mother's position as the organization's acting director.

Garcia left "well over a million square feet under construction and development," said Stand, who credits her with improving quality of life in one of the city's poorest neighborhoods. "Not only did I lose a good friend, but the city lost a luminary."

*Reprinted with permission from City Limits Weekly.*

**Low-income households need affordable housing...so we are moving in!**

**Rally and Press Conference**

**Tuesday, March 15, 2005**

**11:30 a.m. – 1:00 p.m.**

Rector Place, Battery Park City

(between South End Ave. and West Street)

Subway – 1/9/R/W to Rector Place or 4/5 to Wall Street

Battery Park City was built as an opportunity to provide housing opportunities for the city's low- and middle-income households. When this failed to occur, two separate agreements promised that "surplus" revenues from the Authority would be used to provide additional resources for affordable housing development and preservation, over and above what the City committed through its regular budget. This promise was never kept. With the housing crisis deepening every day, New Yorkers are demanding that the City rebuild trust in public development projects and right an historic injustice – *to keep the promise* by using the Battery Park City revenues to create more affordable housing!

Sponsored by a coalition of community housing organizations and advocates.

To participate in this coalition contact ANHD at (212) 747-1117

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Our phones are ringing off the hook! Met Council is looking for people to counsel tenants on our hotline. We will train you! The hotline runs on Mondays, Wednesdays and Fridays from 1:30-5 p.m. If you can give one afternoon a week for this crucial service to the tenant community, call Jenny at (212) 979-6238 x3.

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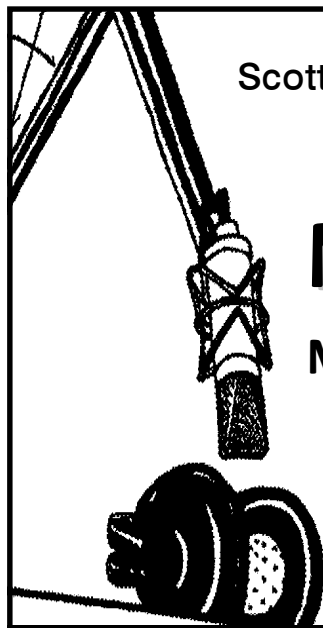
Every Monday at 7 p.m.:  
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Also check out  
[www.rentwars.com](http://www.rentwars.com)

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Scott Sommer hosts Met Council's

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- Fact Sheets & complete Housing Laws
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- Rent Control/Rent Stabilization/DHCR information
- Weekly Housing Court Decision summaries



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# EL INQUILINO HISPANO

## Haga que “Usted tiene derecho a un abogado” sea una realidad en la Corte de Vivienda

Por Laura K. Abel  
Traducido por Lightning Translations

Es una escena surgida de su peor pesadilla. Llegó usted a casa al final de un largo día y encuentra documentos legales diciendo que su casero está desalojándole del apartamento donde usted y su familia han vivido por 20 años. *Está bien, piensa. He visto los programas policíacos en la tele—“Usted tiene derecho a un abogado. Si no tiene ninguno, se le nombrará uno.”* Va a la corte el día citado, pero mientras su casero está plenamente representado por un asesor legal, no hay ningún abogado que le ayude a usted. Cuando pregunta al juez, él le envía al vestíbulo a la mesa del personal de City-Wide

Task Force on Housing Court y al Centro de Recursos de la corte. Usted recurre a los dos lugares, donde le dan información sobre sus derechos legales pero no pueden representarle ante el juez.

En lugar de representación, le dan una lista de programas locales de ayuda legal y servicios legales. Pero cuando llama a sus líneas de admisión, dicen que no tienen ningunos abogados disponibles para ayudarlo durante las próximas semanas y sugieren que pida una cita en la corte para después.

En la cita siguiente, alguien—piensa que es el ayudante del juez pero después se da cuenta que es

el abogado de su casero—llama su nombre y le entrega una “estipulación” que parece ser un acuerdo entre usted y el casero. Parece decir que tiene que pagar varios miles de dólares al casero (dinero que usted no tiene) por renta atrasada y que si no paga, le desalojarán. No dice nada de cómo el casero nunca reparó la gotera arriba de la ducha—la que causó la propagación de moho sobre todo el cielorraso del baño—ni la falta de calefacción la semana pasada. Sin embargo, no está seguro; hay términos legales—como “fallo final,” “entregar una orden inmediatamente”—salpicados por

todo el documento, y está tan nervioso que no puede pensar bien. El juez dice que no puede postergar el caso otra vez y que tiene que aceptar la estipulación o proceder al proceso ese mismo día con no más de cinco días para pagar el fallo que resulte. Usted no sabe qué hacer. ¿Cómo se supone que se explique el código de vivienda y los procedimientos de la Corte de Vivienda, además de discutir con un abogado veterano sin ningún abogado a su lado—y si pierde, pierde su apartamento?

*pasa a la página 4*

### Los Ajustes de la “Junta de Regulación de Renta” de la Ciudad de Nueva York (Orden No. 36)

Para los contratos de apartamentos de Renta Estabilizada que comienzan el 1ro. de octubre de 2004 hasta el 30 de septiembre de 2005.

Los topes de renta que aparecen en el cuadro son los incrementos máximos que los dueños de edificios pueden cobrar legalmente por los apartamentos de renta estabilizada en la ciudad de Nueva York. Son válidos para todos los contratos que comienzan dentro del período de doce meses a partir del 1ro. de octubre de 2004. Los incrementos de alquiler basados en las pautas para la renovación del contrato de 1 o 2 años pueden cobrarse solamente una vez durante el período cubierto por dichas pautas, y deben ser aplicados a la renta legal estabilizada para el 30 de septiembre de 2004. Las cantidades que aparecen en el cuadro y los incrementos para los apartamentos vacíos no se aplican a los apartamentos que estaban sujetos a renta controlada en aquella fecha. No se permite el recargo también conocido como el «impuesto de pobres.»

**Los Contratos para Apartamentos Vacíos o Nuevos** En junio de 1997, el gobernador George Pataki, al intentar destruir la regulación de rentas, forzó cambios que les dieron a los caseros un recargo muy grande por los apartamentos vacíos. Una cláusula de la “Reforma al Acta de Regulación de Renta” de 1997 permite que los nuevos alquileres sean incrementados en un porcentaje obligatorio: 20% para un contrato de dos años, y por un contrato de 1 año, 20% de incremento menos la diferencia en el tope de renovación para los contratos de 1 y 2 años. La ley permite también incrementos adicionales para los apartamentos vacíos donde no se habían cobrado incrementos por desocupación por ocho años o más.

**Exceso de Cobro** Los inquilinos deben estar al tanto de que muchos caseros van a aprovecharse de la complejidad de estas regulaciones y subvenciones, así como del poco conocimiento de los inquilinos del historial de renta de sus aparta-

mentos, para cobrar un alquiler ilegal. Una vez que el inquilino haya tomado posesión del apartamento, puede escoger entre llenar un formulario de queja de exceso de cobro de renta con la oficina de la División de Vivienda y Renovación Comunal (DHCR), o disputar la cantidad de la renta en la corte de vivienda de la ciudad para que se determine cuál es el alquiler legal.

Si un posible inquilino da muestras de conocer sus derechos, lo más probable es que el casero no firmará ningún contrato con tal inquilino. Los caseros evitan contratar con inquilinos que les pueden dar problemas. El exceso de cobro de alquiler es muy común. Todos los inquilinos deben luchar contra posibles excesos de cobro. Obtenga y llene un formulario *Form RA-89* con la oficina de DHCR para determinar el alquiler correcto en los archivos oficiales. Llame a la DHCR a (718) 739-6400 para obtener un formulario, o búsquelo en el sitio [www.dhcr.state.ny.us](http://www.dhcr.state.ny.us).

**La Apelación de la Renta de Mercado Justa** Otro tipo de

exceso de cobro sucede frecuentemente cuando se vacía un apartamento que previamente estaba sujeto a renta controlada y se alquila con renta estabilizada. La Junta de Regulación de Renta (RGB) establece anualmente lo que ellos llaman el “Tope Especial de la Renta de Mercado Justa,” el cual es empleado por la DHCR para bajar las rentas de mercado injustas de los inquilinos que llenan el formulario llamado “Apelación a la Renta Justa de Mercado” (FMRA). Según la Orden 36, es la Renta de Mercado Justa de HUD o un 50% sobre la renta base máxima. Ningún inquilino de un apartamento de renta estabilizada que fue descontrolado el 1ro de abril de 1984 o después debe dejar de poner a prueba la llamada “Renta Legal Inicial Regulada” (renta de mercado) que los caseros cobran cuando hay descontrol del apartamento. Use el formulario de DHCR *Form RA-89*. Indique claramente que su queja es tanto una queja de “Apelación a la Renta Justa de Mercado” como de “exceso de cobro.” La corte de vivienda no puede tomar decisión sobre una

Apelación de Renta de Mercado. Apartamentos vacíos que antes estaban controlados en edificios que se han convertido en cooperativas o condominios no se vuelven estabilizados y no satisfacen los requisitos para la Apelación de la Renta Justa de Mercado.

**Exención de Incrementos para las Personas de Mayor Edad:** Las personas de 62 años o más que viven en apartamentos estabilizados y cuyos ingresos familiares anuales son de \$24,000 o menos, y que pagan (o enfrentan un incremento de alquiler que los forzaría a pagar) una renta de un tercio o más de sus ingresos, pueden tener derecho al programa de Exención de Incrementos para las Personas de Mayor Edad (SCRIE, por sus siglas en inglés), si aplican al Departamento de la Ciudad de Nueva York Sobre las Personas de Mayor Edad, cuya dirección es: SCRIE Unit, 2 Lafayette Street, NY, NY 10007. Si el alquiler actual de un inquilino que tiene derecho a este programa sobrepasa un tercio del ingreso, no se lo puede reducir, pero es posible evitar incrementos de alquiler en el

futuro. Obtenga el formulario de SCRIE por llamar al (212) 442-1000.

**Unidades de Desván (Lofts)** Los incrementos legales sobre la renta base para las unidades de desván son de un 2.5 por ciento por un contrato de un año y un 5.5 por ciento por un contrato de dos años. No se permiten incrementos para las unidades de desván vacías.

**Hoteles y Apartamentos de una Sola Habitación**

No habrá ningún aumento de la renta este año para los apartamentos de hotel de Clase A, casas de habitaciones, hoteles de clase B (de 30 habitaciones o más), hoteles de una sola habitación, y las casas de habitaciones (Clase B, 6-29 cuartos). No se permiten incrementos para apartamentos vacíos.

**La Desregulación de Rentas Altas y Altos Ingresos** (1) Los apartamentos que legalmente se alquilan por \$2,000 o más por mes y que se desocuparon entre el 7 de julio de 1993 y el 1ro. de octubre de 1993, o en o desde del 1ro de abril de 1994 son sujetos a la desregulación. (2) La misma desregulación se les aplica, para el mismo período establecido en (1), a los apartamentos que legalmente pagan \$2,000 o más mensualmente aunque no se desocupen, si el ingreso total de la familia es más de \$175,000 en los dos años consecutivos previos. Para cumplir los requisitos de esta segunda forma de desregulación, el casero tiene que enviarle un formulario de certificación de ingreso al inquilino entre el 1ro de enero y el 1ro de mayo, así como someter dicho formulario al DHCR y conseguir su aprobación.

Para pautas previas, llame a la RGB al 212-385-2934 o busque el sitio [www.housingnyc.com](http://www.housingnyc.com).

Tipo de Contrato	Renta Legal Actual	Contrato de 1 Año	Contrato de 2 Años	
<b>Renovación del Contrato</b>	Si el dueño paga la calefacción	3.5%	6.5%	
	Si el inquilino paga la calefacción	3%	6%	
<b>Contratos para Apartamentos Vacíos</b>	Más de \$500	Incrementos por desocupación cobrados en los últimos 8 años	17%	
		Incrementos por desocupación no cobrados en los últimos 8 años	0.6% por el número de años desde el último incremento por estar vacío, más el 17%	
	Menos de \$300	Incrementos por desocupación cobrados en los últimos 8 años	17% + \$100	20% + \$100
		Incrementos por desocupación no cobrados en los últimos 8 años	0.6% por el número de años desde el último incremento por estar vacío, + 17% + \$100	0.6% por el número de años desde el último incremento por estar vacío, + 20% + \$100
	Renta de \$300 a \$500	Incrementos por desocupación cobrados en los últimos 8 años	17% o \$100, lo que sea mayor	20% o \$100, lo que sea mayor
		Incrementos por desocupación no cobrados en los últimos 8 años	0.6% por el número de años desde el último incremento por estar vacío, mas 17%, o \$100, lo que sea mayor	0.6% por el número de años desde el último incremento por estar vacío, mas 20%, o \$100, lo que sea mayor

## Abogado

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### Básculas de justicia desequilibradas

Bienvenido al mundo real. A pesar de la tan repetida frase "Usted tiene derecho a un abogado," el hecho es que en la mayoría de los casos civiles—incluidos los procedimientos de desalojo en la Corte de Vivienda—no existe ningún derecho a asesoría legal. Nunca se ha encontrado la interpretación en las constituciones federal y estatal sobre la obligación del derecho a asesoría legal en estas circunstancias y no hay ninguna ley que cree tal derecho. Los gobiernos federal, estatal y local, así como fundaciones, bufetes e individuos particulares, contribuyen a programas de ayuda legal y servicios legales, pero estos programas pueden proveer abogados para sólo una pequeña minoría de las personas de bajos ingresos que necesitan representación en procedimientos civiles. Este es ciertamente el caso en las Cortes de Vivienda de la Ciudad de Nueva York. Un estudio de 1993 mostró que mientras un 98 por

ciento de caseros tenían abogados, sólo 12 por ciento de los inquilinos los tenían.

La Corte de Vivienda y las leyes de vivienda no están diseñadas para que los que no son abogados se defiendan. El juez del tribunal supremo del estado describió en su momento las leyes de vivienda de Nueva York como "un matorral impenetrable muy difícil de entender no sólo para la gente no entrenada sino también para los abogados." Aun cuando los inquilinos sin abogados tienen fuertes defensas en contra del desalojo, muchas veces no se dan cuenta de esas defensas o no pueden aseverarlas de manera que puedan captar la atención de la corte.

Varios estudios han mostrado que los inquilinos representados por abogados son significativamente más exitosos en la Corte de Vivienda que los inquilinos que se representan a sí mismos. Por ejemplo, un estudio halló que sólo un 22 por ciento de inquilinos con abogados terminaron con fallos de desalojo en su contra, comparado con un 51 por ciento de los

inquilinos sin representación. Esto sugiere que se desaloja a mucha gente por el solo hecho de no poder encontrar a un abogado que les ayudara. Igualmente, la Administración de Recursos Humanos (HRA) de la ciudad ha hallado que los abogados que patrocinó para representar a inquilinos tuvieron una tasa de éxito de un 90 por ciento: en los casos estudiados, evitaron el desalojo de 3,600 familias o hicieron posible que estas regresaran a los hogares de las que habían sido desalojadas.

Las consecuencias del desalojo—especialmente el desalojo evitable—son severas y de largo alcance. En el mercado caro de vivienda en la ciudad de Nueva York, una cantidad bastante grande de personas desalojadas terminan desamparadas. Aproximadamente un 19 por ciento de las familias en albergues de emergencia en la Ciudad de Nueva York fueron recientemente desalojadas. Aun más personas desalojadas comparten espacio con amigos o familiares y se vuelven desamparadas al agotarse la bienvenida en esos apartamentos atestados.

Los jueces de la Corte de Vivienda dicen que uno de los aspectos más difíciles de su oficio es manejar los casos de inquilinos sin abogados. Un juez que toma el tiempo para explicar el procedimiento de la corte arriesga ser acusado de favoritismo. De hecho, a los jueces se les prohíbe proporcionar asesoría legal. A la vez, un juez que deja a su suerte a los inquilinos sin representación termina por presidir un procedimiento flagrantemente injusto.

### Restituir el equilibrio: una solución propuesta

Con la tasa de falta de hogar en niveles récord, los partidarios de los inquilinos, los grupos de buen gobierno, los abogados interesados y los legisladores locales han

propuesto que la ciudad cree el derecho a la asesoría legal en la Corte de Vivienda. La ley propuesta todavía está en desarrollo, pero la meta es garantizar que los inquilinos de ingresos moderados y bajos reciban representación legal cuando enfrenten el desalojo. La ciudad podría proveer recursos a programas sin fines de lucro de ayuda legal y servicios legales, que estarían bajo contrato para proporcionar un abogado para todas las personas elegibles.

Sin embargo, al principio la iniciativa crearía un proyecto piloto que proveería asesoría legal para algunas categorías de litigantes. Los partidarios del programa y la ciudad podrían estudiar qué tan bien funciona, cuánto dinero ahorra para la ciudad y cuáles otros beneficios el programa ofrece a la ciudad. Si el proyecto piloto es un éxito, puede ser ampliado.

A pesar del costo de proveer abogados para inquilinos enfrentados con el desalojo, el programa ahorraría dinero para la ciudad de manera casi inmediata. Un "jefe especial" que supervisa el litigio en contra de la Ciudad de Nueva York en torno a la falta de techo, el colegio de abogados de la Ciudad de Nueva York, el Community Training and Resource Center, la City-Wide Task Force on Housing Court y la propia HRA coinciden en esto. Los cálculos de la HRA muestran que la ciudad evitará cuatro dólares de gastos asociados con la falta de hogar por cada dólar gastado en la prevención del desalojo.

También, nuestra democracia está basada en el principio fundamental de que todos tienen el mismo acceso al debido proceso en las cortes. Cuando se viola este principio, las cortes empiezan a carecer de legitimidad y se sospecha de la naturaleza democrática de nuestra sociedad. Es difícil ver

*pasa a la página 5*

## No se quede helado: ¡ORGANÍZSE!

La ley requiere que su casero proporcione calefacción y agua caliente a las temperaturas siguientes, desde el 1ro de octubre hasta el 31 de mayo:

Desde las 6 a.m. hasta las 10 p.m.: Si la temperatura afuera es de menos de 55 grados, la temperatura adentro debe ser al menos de 68 grados en todo el apartamento.

Desde las 10 p.m. hasta las 6 a.m.: Si la temperatura afuera es de menos de 40 grados, la temperatura adentro debe ser al menos de 55 grados en todo el apartamento.

Se tiene que proporcionar agua caliente a un mínimo de 120 grados en el grifo las 24 horas del día, todo el año.

Si su casero no mantiene estas temperaturas mínimas, usted debe:

- \* Comenzar una "Acción HP" (HP Action) en la Corte de Vivienda. Pida una inspección por orden de la corte y una Orden de Corrección (Order to Correct)

- \* Llamar al Buro Central de Quejas (Central Control Bureau) de la ciudad de Nueva York al 311 inmediatamente, para documentar la violación del casero. Llame repetidamente. Se supone que un inspector vendrá eventualmente, aunque a veces no lo haga.

- \* Exhortar a los otros inquilinos en el edificio a llamar al Central Complaint. Todos deben llamar repetidamente, al menos una vez al día, todos los días en que tengan problemas con la calefacción.

- \* Comprar un buen termómetro para afuera y adentro, para documentar las fechas exactas, las horas, y las temperaturas, tanto afuera como adentro, mientras tenga problemas con la calefacción. Esta documentación es su evidencia

- \* Llamar a la División de Vivienda y Renovación Comunal del Estado de Nueva York (DHCR, por sus siglas en inglés) al (718) 739-6400, y pedir que le envíen el formulario de Queja de Calefacción y Agua Caliente. Llene el formulario y consigne la

participación de todos los inquilinos en su edificio que pueden firmarlo. Reclame una orden para restaurar la calefacción y el agua caliente, y que se reduzcan y congelen (¡disculpe lo de "congelen"! ) todas las rentas.

- \* Necesitarán una fuerte asociación de inquilinos para obligar al casero a proporcionar calefacción y agua caliente. Escriban y llamen al casero para demandar reparaciones y aceite. Prepárense para una huelga de renta (sobre todo con asesoría legal)—de relámpago si es necesario.

Las leyes sobre la calefacción establecen también:

- \* Que el Departamento de Reparaciones de Emergencia de la ciudad le proporcione la calefacción si el casero no lo hace. (No se siente en un bloque de hielo—otra vez, ¡disculpe!—mientras espere que lo haga.)

- \* Una multa de \$250 to \$500 al casero por cada día que se produzca la violación. (Pero la verdad es que la Corte de Vivienda raras veces impone las multas, y menos aun las cobra).

- \* Una multa de \$1,000 al casero si algún aparato de control automático se instala en la caldera para mantener la temperatura por debajo del mínimo legal.

- \* Si el tanque de combustible de la caldera está vacío, los inquilinos tienen el derecho de comprar su propio combustible después de haber pasado 24 horas sin calefacción y también sin obtener ninguna respuesta del casero. Esto no se aplica si la caldera está rota y necesita tanto reparación como combustible.

¡Cuidado! ¡proteja su dinero! Si los inquilinos deciden comprar el combustible, hay que seguir los procedimientos legales cuidadosamente. Consiga la ayuda y el consejo de un organizador de inquilinos. La existencia de leyes de calefacción y agua caliente vigentes no garantiza que el gobierno las implemente. No se quede helado por esperar que la ciudad o el estado actúe. ¡Organízes!



### Familias de bajos recursos necesitan viviendas de rentas módicas... por lo tanto... ¡nos vamos a mudar!

### Manifestación y Conferencia de Prensa

**Martes, 15 de Marzo**

**11:30 am – 1:00 pm**

Rector Place, Battery Park City  
(entre South End Ave. y West Street)

Tren – 1/9/R/W hasta Rector Place - 4/5 hasta Wall Street

Battery Park City fue construida como una oportunidad para ofrecer oportunidades de vivienda para familias de bajos recursos. Cuando esto no sucedió, en dos acuerdos separados se prometió que los ingresos en "excedente" de Battery Park City serían usados para proporcionar recursos adicionales para construir y preservar vivienda de renta módica, además de las que la Ciudad reservó en su presupuesto regular. Esta promesa nunca fue cumplida. Con la crisis de vivienda profundizando cada día, los Neoyorquinos exigen que la Ciudad reestablezca la confianza en proyectos de desarrollo públicos y corrija una injusticia histórica: ¡Que cumplan la promesa utilizando el ingreso de Battery Park City para crear vivienda de renta módica!

Patrocinado por una coalición de grupos comunitarios.

Para más información o para participar, llame  
ANHD (212) 747-1117.

**Abogado**

vienen de la página 4

que los inquilinos tienen el mismo acceso bajo la ley cuando tienen que acudir a la corte sin esa tan necesaria ventaja que representa un abogado para discutir con los abogados del casero, además de entrar en complejos acuerdos escritos con éstos. La contienda es aun más desigual para el gran porcentaje de neoyorquinos que no hablan inglés con fluidez.

La disponibilidad de abogados para personas enfrentadas con el desalojo también ayudará tanto a proteger viviendas asequibles como a conservar el carácter de nuestras comunidades. En muchos casos, después de que el inquilino de un apartamento de renta regulada es desalojado, el casero puede aumentar la renta excesivamente bajo regulaciones que permiten incrementos muy grandes en apartamentos vacíos o renovados. A la ciudad le cuesta mucho más crear más unidades asequibles de lo que le costaría proveer ayuda legal para evitar estos desalojos. Además, con las rentas en niveles récord, la gente desalojada frecuentemente descubre que tiene que dejar sus vecindarios o hasta la ciudad misma para buscar nueva vivienda. Cuando grandes cantidades de

personas son forzadas a dejar los vecindarios históricos, se amenaza con destruir el mosaico complejo que es la mayor fortaleza de Nueva York. Por eso, proveer abogados para reducir la cantidad de desalojos evitables ayudará a la ciudad mantener sus comunidades históricas a pesar de la presión económica de entregar cada apartamento y aumentar la renta cada vez que ocurra un desalojo. La naturaleza de la ciudad está en juego.

Esta es una iniciativa que merece ser exitosa, pero necesitará el esfuerzo concertado de individuos interesados y partidarios para que se realice.

Laura K. Abel es abogada asociada en el Brennan Center for Justice en la Escuela de Leyes de la Universidad de Nueva York. Cualquiera persona interesada en formar parte de la coalición por el derecho a asesoría legal, o en informarse más sobre este esfuerzo, debe mandar un e-mail a la empleada del Concejal Alan Gerson Lisa Rubin, a: lisa.rubin@council.nyc.ny.us y enviar una copia a: dirk.mccall@council.nyc.ny.us.

**Yolanda García, falleció a los 53 años**

Por Bennett Baumer

Traducido por Lightning Translations

Yolanda García, una activista de planificación urbana del Bronx y miembro fundador de Nos Quedamos/We Stay, murió de un infarto el 17 de febrero a los 53 años.

García y otros activistas fundaron Nos Quedamos, una corporación de desarrollo comunitario sin fines de lucro en el vecindario Melrose Commons en 1993. Enfrentados con el desplazamiento masivo de residentes a causa de los planes de renovación urbana de la ciudad, esperaron traer una voz de la comunidad que pudiera competir con las de los políticos, especuladores y planificadores de la ciudad. Nos Quedamos trabajaba con pequeños negocios, arquitectos, líderes del condado y burócratas de la ciudad para crear cambios positivos en el Bronx.

“No recuerdo otra ocasión en que la ciudad vino a la comunidad afectada [para] hacer la planificación,” dijo Petr Stand, un arquitecto de Magnusson Architecture and Planning que trabajó con García desde 1993. Como

directora ejecutiva del grupo, García ayudó a construir miles de nuevas unidades de vivienda, espacios verdes y supermercados, además de luchar por aire más limpio como respuesta a la crisis del asma en el vecindario.

Previo a su muerte, García encabezaba el desarrollo de múltiples proyectos, incluidos una residencia para personas mayores y un complejo de vivienda de 124 unidades para personas con ingresos moderados, junto con un supermercado C-Town. La hija de García, Yolanda González, ya ha asumido el cargo de su madre como directora interina de la organización.

García dejó “mucho más de un millón de pies cuadrados bajo construcción y desarrollo,” dijo Stand, que le atribuye el mejoramiento de la calidad de vida en uno de los vecindarios más pobres de la ciudad. “No sólo perdí yo una buena amiga, sino la ciudad perdió una luminaria.”

Reimpreso con autorización de City Limits Weekly.

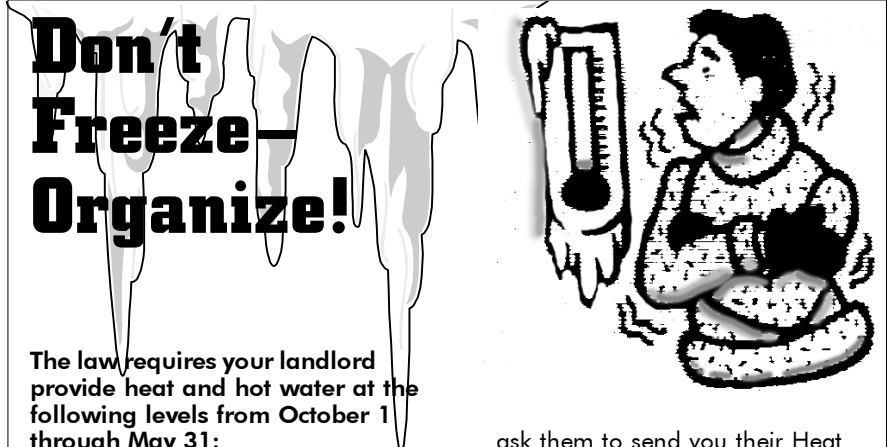
**Home Rule**

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Bloomberg does, the Council has the ability to override any veto, as it did last year to enact the Childhood Lead Poisoning Prevention Act.

Once the Council passes the home-rule message calling for Urstadt repeal, the focus will shift back to Albany. For many years, the Assembly has passed “one-house bills” that the Sen-

ate has ignored. But with the Democrats’ gain of three seats in the Senate last November, winning restoration of home rule might actually be possible this year or next—particularly if the issue is embraced by statewide groups, such as the Working Families Party and Citizen Action, and by presumptive gubernatorial nominee Eliot Spitzer.



The law requires your landlord provide heat and hot water at the following levels from October 1 through May 31:

From 6 am to 10 pm: If the outside temperature falls below 55 degrees, the inside temperature must be at least 68 degrees everywhere in your apartment.

From 10 pm to 6 am: If the outside temperature falls below 40 degrees, the inside temperature must be at least 55 degrees everywhere in your apartment.

Hot water at a minimum 120 degrees at the tap must be provided 24 hours a day, year round.

If your landlord does not maintain those minimum temperatures, you should:

- \* Start an “HP action” in Housing Court. Ask for a court-ordered inspection and an Order to Correct.
- \* Call the New York City Central Complaints Bureau at 311 immediately to record the landlord’s violation. Call repeatedly. An inspector should eventually come, although sometimes they don’t.
- \* Get other tenants in your building to call Central Complaint. Everybody should call repeatedly, at least once every day the condition is not corrected.
- \* Buy a good indoor/outdoor thermometer and keep a chart of the exact dates, times, and temperature readings, inside and out, so long as the condition is not corrected. The chart is your evidence.
- \* Call the New York State Division of Housing and Community Renewal at (718) 739-6400 and

ask them to send you their Heat and Hot Water complaint form. Get as many other apartments as possible in your building to sign on, demanding an order restoring heat and hot water, and a reduction and freeze (pardon the expression!) in all the rents.

You’ll need a strong tenant association to force the landlord to provide heat and hot water. Write and call the landlord and demand repairs or fuel.

Prepare to go on rent strike — but get legal advice first.

The heat laws also provide for:

- \* The city’s Emergency Repair Department to supply your heat if the landlord does not. (Try waiting for this one!)
- \* A \$250 to \$500 a day fine to the landlord for every day of violation. (But the Housing Court rarely imposes these fines, let alone collects them.)
- \* A \$1,000 fine to the landlord if an automatic control device is put on the boiler to keep the temperature below the lawful minimum.

If your boiler’s fuel tank is empty, tenants have the right to buy their own fuel after 24 hours of no heat and no response from the landlord. But this provision does not apply if the boiler is broken and needs both repairs and fuel.

**Caution!** Protect your money! If you decide to buy fuel, you must follow special lawful procedures very carefully. You should get help and advice from a tenant organizer.

Because the heat and hot water laws are in the law books does not mean they are enforced by government. Don’t freeze to death waiting for the city or state to act. Organize!

**ASISTENCIA GRATIS PARA IMPUESTOS**



**\$5,805 en Reintegro de Impuestos**

**○ Gana menos de \$40,000 y tiene dependientes?**

**○ Soltero/a sin dependientes y gana menos de \$20,000?**

**Si!**

**Ud. qualifica para asistencia gratis con su preparacion de impuestos!**

Presente este cupón en cualquiera de las sucursales de preparación gratis (vea la lista en la página 7)

**CUPON GRATIS PARA LLENAR IMPUESTOS**

**NOMBRE:** \_\_\_\_\_  
**DIRECCION:** \_\_\_\_\_

**ES GRATIS - Y ES RAPIDO TAMBIEN!**

CASH Back es un programa de Citizens for NYC apoyado por Robin Hood Foundation y JP Morgan Chase Foundation



# 100,000 New Yorkers Homeless Last Year, Report Says

By Steven Wishnia

More New Yorkers were homeless at some point in the last year than at any time since the Depression, according to a report released by the Coalition for the Homeless on Feb. 15.

Over 100,000 people, including 38,000 children, spent at least one night in a municipal homeless shelter during fiscal year 2004, according to the report, "State of the Homeless 2005." While the average daily number of people in the shelters has declined slightly, to 36,600 in January from a peak of over 38,000 in the winter of 2004, the number of women in the shelters is higher than it's been since the city started keeping records, and the number of single adults is the highest it's been since 1989, based on the coalition's analysis of shelter-census data from the city Department of Homeless Services.

Families in shelters stayed for an average of more than 11 months, the

report said. It is difficult to estimate the number of homeless people living on the streets, but the report noted that city-funded outreach teams tallied an increased number of contacts with homeless people on the streets last year as well.

To remedy the situation, the coalition advocates building more supportive housing, changing the Bloomberg administration's "Housing StabilityPlus" rent-subsidy program, actually using the \$75 million in annual Battery Park City revenues to create affordable housing, making shelters more accessible, and focusing more resources on homeless women.

In the late '80s and early '90s, the report says, the city was creating more than 3,000 apartments a year for homeless people, according to its analysis of figures from the Department of Housing Preservation and Development; for the last three years, that

number has fallen to barely 300 apartments. Last year, it notes, Mayor Bloomberg pledged to build 12,000 units of supportive housing, but his budget for fiscal 2006 only includes funding for 4,260 units over the next 10 years. The report also criticizes the Housing StabilityPlus program for imposing a five-year time limit on rent subsidies, reducing the subsidy by 20 percent for each year a person is in the program, and limiting eligibility to people on welfare, excluding working and disabled people.

The coalition is advocating smaller, more widely dispersed shelters for single adults, arguing that they would be less intimidating than large "congregate shelters" for street homeless people, many of whom are seriously mentally ill. It also criticized the Bloomberg administration for using stringent enforcement of eligibility rules to deny shelter to

many homeless families, hundreds of whom sleep

on the floor of intake offices while waiting.

## Housing Here & Now Follows Up

The Housing Here and Now coalition, fresh from the success of the march and rally that drew 8,000 souls to City Hall on Feb. 2, met on March 3 to hear updates and plan followup on the five points making up its program for affordable housing:

The demand to fulfill the 30-year old promise to use Battery Park City revenues to create new affordable housing will be dramatized on March 15 by a "move-in," in which tenants wearing bathrobes will carry boxes to the entrance of the BPC complex. The Association for Neighborhood Housing Development will coordinate the protest (see box on page 2). On March 23, the New York City AIDS Housing Network will lead a day of lobbying for special-needs housing. The demand to

preserve existing housing through aggressive code enforcement is centered on getting the City Council to pass the Healthy Homes Act.

The coalition's other demands are restoring the city's home rule over rent and eviction protections, and for inclusionary zoning, requiring substantial amounts of permanently affordable housing in any major new development. It will continue to work to bring these five issues to the fore in this year's mayoral and Council elections.

For more information, contact Julie Miles at (212) 608-5122 or Julie@housinghereandnow.org. For information on the Healthy Homes Act, contact Benjamin Ross at (212) 627-2227 ext. 234 or bross@thenyc.org.

—Kenny Schaeffer

## NYC Rent Guidelines Board Adjustments (Order No. 36)

for Rent Stabilized Leases commencing Oct. 1, 2004 through Sept. 30, 2005

This rent guidelines table shows the maximum increases landlords in New York City can legally charge for rent stabilized apartments on all leases commencing in the twelve-month period beginning October 1, 2004. Increases in rent based on the 1- or 2-year renewal guidelines can be charged only once during the period covered by the guidelines, and must be applied to the legal stabilized rent on September 30, 2004. The above guidelines and vacancy bonuses do not apply to an apartment which was rent controlled on that date. There is no low rent supplement, a.k.a. poor tax, allowed.

### Sublease Allowance

Landlords can charge a 10 percent increase during the term of a sublease that commences during this guideline period.

### Vacancy Leases

In June 1997, Governor George Pataki, as a part of his efforts to destroy rent regulation, forced changes that gave landlords large vacancy bonuses. Provisions of his Rent Regulation Reform Act of 1997 allow the rents of apartments to rise by a statutory percentage: 20 percent for a 2-year lease, and 20 percent minus the difference between the 1- and 2-year renewal guidelines for 1-year leases. The law also allows additional vacancy increases for apartments which have had no vacancy allowance in eight or more years.

### Rent Overcharges

Tenants should be aware that many landlords will exploit the complexities of these guidelines and bonuses, and the tenant's unfamiliarity with the apartment's rent history, to charge an illegal rent. The tenant can choose be-

Lease Type	Current Legal Rent	One-year Lease	Two-year Lease	
Renewal Leases	Landlord pays heat	3.5%	6.5%	
	Tenant pays heat	3%	6%	
Vacancy leases	More than \$500	Vacancy allowance charged within last 8 years	17%	20%
		No vacancy allowance charged within last 8 years	0.6% times number of years since last vacancy allowance, plus 17%	0.6% times number of years since last vacancy allowance, plus 20%
	Less than \$300	Vacancy allowance charged within last 8 years	17% plus \$100	20% plus \$100
		No vacancy allowance charged within last 8 years	0.6% times number of years since last vacancy allowance, plus 17% plus \$100	0.6% times number of years since last vacancy allowance, plus 20% plus \$100
	Rent \$300 to \$500	Vacancy allowance charged within last 8 years	17% or \$100, whichever is greater	20% or \$100, whichever is greater
		No vacancy allowance charged within last 8 years	0.6% times number of years since last vacancy allowance, plus 17%, or \$100, whichever is greater	0.6% times number of years since last vacancy allowance, plus 20%, or \$100, whichever is greater

tween filing an overcharge complaint with the Division of Housing and Community Renewal or challenging the rent in Housing Court to get a determination of the legal rent.

A prospective tenant who expresses knowledge of their rights will probably not be given a lease to sign. Landlords avoid renting to tenants who may be troublesome. Overcharging is very common. Every tenant should challenge possible overcharge. With DHCR, obtain and fill out *Form RA-89* to determine the correct rent from official records. Call DHCR at (718) 739-6400 to obtain the form or go to: [www.dhcr.state.ny.us](http://www.dhcr.state.ny.us)

### Fair Market Rent Appeal

Another type of overcharge frequently occurs at the time that a previously rent controlled apartment becomes vacant and is re-rented as a stabilized unit. The Rent Guidelines Board an-

nually sets what they call the "Special Fair Market Rent Guideline" that is used by DHCR to lower unfair market rents for tenants who file the Fair Market Rent Appeal (FMRA). Under Order 36, it is HUD Fair Market Rent or 50% above the maximum base rent., whichever is higher. No stabilized tenant of an apartment that was decontrolled on or after April 1, 1984 should fail to challenge the so-called Initial Legal Regulated Rent (market rent) that landlords charge upon decontrol. Use DHCR *Form RA-89*. Indicate clearly that your complaint is both a complaint of "overcharge" and "Fair Market Rent Appeal." The Housing Court cannot determine a Fair Market Rent Appeal. Formerly controlled vacant apartments in buildings converted to co-ops or condos do not become stabilized and are not eligible for a Fair Market Rent Appeal.

### Senior Citizen Rent Increase Exemption

Rent stabilized seniors, 62 years or older, whose disposable annual household income is \$24,000 or less and who pay (or face a rent increase that would cause them to pay) one-third or more of that income in rent may be eligible for a Senior Citizen Rent Increase Exemption (SCRIE) if they apply to the NYC Dept of the Aging, SCRIE Unit at 2 Lafayette Street, NY, NY 10007. If an otherwise eligible tenant's current rent level is already above one-third of income, it cannot be rolled back, but future rent increases may be avoided. Obtain the SCRIE application form by calling (212) 442-1000.

### Loft Units

Legalized loft unit increases above the base rent are 2.5 percent for a one-year lease and 5.5 percent for two years. No va-

cancy allowance is permitted on vacant lofts.

### Hotels and SROs

The board voted to freeze rents for Class A apartment hotels, lodging houses, Class B hotels (30 rooms or more), single room occupancy (SROs) hotels, and rooming houses (Class B, 6-29 rooms). No vacancy allowance is permitted. Landlords cannot collect an increase over the rent charged on September 30, 2004 between October 1, 2004 and September 30, 2005.

### High-rent, High-income Deregulation

(1) Apartments legally renting for \$2,000 or more a month that became vacant from July 7, 1993 through October 1, 1993, or on April 1, 1994 and thereafter are subject to deregulation. (2) The same deregulation applies in the time periods set forth in (1) above to apartments legally renting for \$2,000 or more a month without their becoming vacant if the total household income exceeds \$175,000 in each of the prior two consecutive years. To be eligible for this second form of deregulation, the landlord must send an income certification form to the tenant between January 1 and May 1 and file it with and get the approval of DHCR.

For previous guidelines call the RGB at 212-385-2934 or go to [www.housingnyc.com](http://www.housingnyc.com).



**Lawyer**

*continued from page 1*

forced to represent themselves. The state's highest judge once described New York's housing laws as "an impenetrable thicket confusing not only to laymen but to lawyers." Even when tenants without lawyers have strong defenses against an eviction, they are often unaware of those defenses, or are unable to assert them in a way that gets the court's attention.

Several studies have shown that tenants represented by lawyers are significantly more successful in Housing Court than tenants who represent themselves. For example, one study found that only 22 percent of tenants with lawyers ended up with final judgments of eviction against them, compared with 51 percent of unrepresented tenants. That suggests that a lot of people are getting evicted solely because they were unable to find a lawyer to help them. Similarly, the city Human Resources Administration (HRA) has found that the lawyers it has funded to represent tenants had a 90 percent success rate: In the cases studied, they prevented the eviction of 3,600 families or enabled them to return to homes from which they had been evicted.

The consequences of eviction—particularly avoidable eviction—are severe and far-reaching. In New York City's expensive housing market, a sizable number of people who are evicted end up homeless. Approximately 19 percent of the families in emergency shelters in New York City were recently evicted. Many more evicted people double up with friends or family members, and become homeless when they wear

out their welcome in those overcrowded apartments.

Housing Court judges say that one of the most difficult aspects of their jobs is handling the cases of tenants without lawyers. A judge who takes the time to explain the court's procedure risks being accused of playing favorites. Judges are actually barred from providing legal advice. At the same time, a judge who leaves unrepresented tenants to fend for themselves ends up presiding over a blatantly unfair proceeding.

**Restoring the balance: a proposed solution**

With homelessness at record highs, tenants' advocates, good-government groups, concerned lawyers, and local legislators have proposed that the city create a right to counsel in Housing Court. The proposed legislation is still being developed, but the goal is to guarantee that low and moderate-income tenants would receive legal representation when they are facing an eviction. The city could provide funding to nonprofit legal aid and legal services programs, which would be under contract to provide a lawyer for every eligible person.

At first, however, the initiative would create a pilot project providing counsel for some categories of litigants. Advocates and the city could study how well that works, how much money it saves the city, and whether it provides other benefits for the city. If the pilot project is a success, it could be expanded.

Despite the cost of providing lawyers for tenants facing eviction, it will save the city money almost immediately. A "special master" overseeing homelessness litigation against New York City, the Associa-

tion of the Bar of the City of New York, the Community Training and Resource Center, the City-Wide Task Force on Housing Court, and HRA itself all agree. HRA's calculations show that the city will avert four dollars in costs associated with homelessness for every dollar that it spends on eviction prevention.

Also, our democracy rests on the fundamental principle that everyone has equal access to due process in the courts. When this principle is violated, the courts start lacking legitimacy, and the democratic nature of our society becomes suspect. It is hard to see how tenants have equal access under the law when they must appear in court without that most necessary asset, lawyers, and must argue against and enter into complicated written agreements with landlords' lawyers. The contest is even more unequal for the large percentage of New Yorkers who are not proficient in English.

Providing lawyers for people facing eviction will also help preserve both affordable housing and the character of our communities. In many instances, after a tenant of a rent-regulated apartment is evicted, the landlord is able to raise the rents sharply, under regulations permitting huge increases on vacant or renovated apartments. It costs the city far more to create new affordable units than it would cost to provide legal assistance to prevent those evictions. Moreover, with rents at record levels, people who are evicted often find that they must leave their neighborhoods, or

even the city, in search of new housing. When large numbers of people are forced to leave historic neighborhoods, it threatens to destroy the complicated mosaic that is New York's greatest strength. Providing lawyers to reduce the number of preventable evictions will, consequently, help the city maintain its historic communities against the economic pressure to turn over every apartment, and raise the rent, each time an eviction occurs. The character of the city is at stake.

This is an effort that deserves success, but it will take the concerted effort of concerned individuals and advocates to make it happen.

*Laura K. Abel is an associate counsel at the Brennan Center for Justice at New York University School of Law. Anyone interested in participating in the right-to-counsel coalition, or in finding out more about the effort, should e-mail Councilmember Alan Gerson's staff person Lisa Rubin, at [lisa.rubin@council.nyc.ny.us](mailto:lisa.rubin@council.nyc.ny.us), and send a copy to [dirk.mccall@council.nyc.ny.us](mailto:dirk.mccall@council.nyc.ny.us).*

**Complaint Numbers**

To reach the Department of Housing, Preservation and Development's Central Complaints hotline, call 311.

Also call 311 to reach the Department of Buildings and other city agencies.

**FREE TAX FILING**



**\$5,805 in Tax Refunds**

○ Earning less than \$40,000 and claiming dependents?

OR

○ Single with no dependents and earning less than \$20,000?

**YES!**

**You qualify for FREE tax preparation!**

Present this coupon at any FREE Tax Preparation Site

**FREE TAX FILING COUPON**

NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_

**ITS REALLY FREE - FAST REFUNDS TOO!**

CASH Back is a program of Citizens for NYC supported by Robin Hood Foundation and JP Morgan Chase Foundation



**FREE TAX SITE LOCATIONS AND HOURS**

SCHEDULE 1	SCHEDULE 2
Hours: January - April 10th - M - Th, 12-7; F, 12-4; Sat, 9-5; Sun, Closed (Except on January 30th, February 6th, February 13th, and February 20th from 12-4) April 11th to April 15th - M - F, 10-7.	Hours: January and February - M - Th, 12-7; F, 12-4; Sat, 9-5; Sun, Closed. March 1st to April 10th - M - Th, 12-7; Sat, 9-5; Fri and Sun, Closed. April 11th to April 15th - M - F, 10-7.
AVAILABLE LANGUAGES: ☐ = English, Spanish and Chinese    △ = English and Spanish    Arabic, Russian, Korean, Cantonese offered at some sites	
<b>BRONX</b>	
<b>FORDHAM:</b> 1199SEIU TRAINING CENTER (Opens January 19*) 2514 Creston Avenue, corner of Fordham Road Subway: 4, B, D to Fordham Road Hours: See Schedule 1    Language: △	
<b>SOUTH BRONX (THE HUB):</b> (Opens January 24*) 555 Bergen Avenue/3rd Floor, between East 148th Street and Westchester Avenue Subway: 2, 5 to 149th Street and 3rd Avenue Hours: See Schedule 2    Language: △	
<b>HUNTS POINT:</b> (Opens January 24th) 945 East 163rd Street, bet. Intervale Avenue and Kelly Street Subway: 2 or 5 to Intervale Avenue or 6 to Hunts Point. Hours: See Schedule 2    Language: △	
<b>SOUNDVIEW:</b> NY ACORN EITC Soundview Community in Action 1217 Stratford Avenue, 2nd Floor Subway: 6 to Morris/Jackson Avenue Hours: Tues - Friday 2-8, Sat - Sun 12-5    Language: △	
<b>BROOKLYN</b>	
<b>BED-STUY:</b> BED-STUY RESTORATION (Opens January 24*) 1368 Fulton St., inside courtyard of Bed-Stuy Restoration across from Duane Reade Subway: A, C, to Nostrand Avenue Hours: See Schedule 2    Language: △	
<b>DOWNTOWN:</b> INDEPENDENCE COMMUNITY BANK (Opens Jan. 19*) 195 Montague St./4th Fl.; Independence Bank Bldg. bet. Court and Clinton Street Subway: M, N, R to Court Street, 2, 3, 4, 5 to Borough Hall Hours: See Schedule 1    Language: English, Spanish, Chinese, Russian	
<b>SUNSET PARK:</b> CENTER FOR FAMILY LIFE (Opens January 24*) 5505 Fourth Avenue, corner of 55th Street Subway: R to 53rd Street or N to 59th Street Hours: See Schedule 2    Language: English, Spanish, Chinese, Russian	
<b>EAST NEW YORK:</b> NY ACORN EITC Groundwork 595 Sutter Avenue, between Sheffield & Georgia Avenues, corner of Georgia Subway: L to Sutter Avenue Hours: Tues - Friday 3-8, Sat - Sun 12-5    Language: △	
<b>MANHATTAN</b>	
<b>HARLEM:</b> CFRC FOOD & FINANCE CENTER (Opens January 19*) 284 St. Nicholas Avenue, between 124th and 125th Streets Subway: 2, 3, A, B, C, D to 125th Street Hours: See Schedule 1    Language: ∞	
<b>MIDTOWN:</b> 1199SEIU NBF (Opens January 24*) 330 West 42nd Street/9th floor, between 8th and 9th Avenues Subway: 1, 2, 3, 7, 9, A, B, C, D, N, R, W to Times Square Language: English, Spanish, Chinese Hours: January to February - M - F 4-7; Sat 9-5; Sun Closed March 1st to April 10th - M - Th 4-7; Sat 9-5; F and Sun Closed April 11th to April 15th - M - F 4-7	
<b>WASHINGTON HEIGHTS:</b> NORTHERN MANHATTAN IMPROVEMENT CORP. (January 24th) 76 Wadsworth Avenue/2nd floor, between 176th and 177th Streets Subway: 1, 9 to 181st Street; A to 175th Street Language: English, Spanish Hours: January - April 10th - M - Th 1-7; F 1-5; Sat 9-5; Sun Closed April 11th to April 15th - M - F 10-7	
<b>LOWER EAST SIDE</b>	
<b>LOWER EAST SIDE PEOPLE'S FEDERAL CREDIT UNION</b> 37 Avenue B, between Avenue B and Avenue C Hours: Monday: 1-7; Wednesday and Friday 5-8; Saturday 2-5	
<b>CAMPOS COMMUNITY CENTER</b> 611 East 13th Street, between Avenue B & Avenue C Hours: Tuesday and Thursday 4-7	
<b>GRAND STREET SETTLEMENT</b> 88 Pitt Street, between Stanton & Rivington Street Hours: Thursday 10-4	
<b>BEACON CENTER AT MARTHA VALLE HIGH SCHOOL</b> 145 Stanton Street, between Norfolk and Suffolk Streets Hours: Tuesday 5-9	
<b>QUEENS</b>	
<b>JACKSON HEIGHTS:</b> (Opens January 24*) 71-24 Roosevelt Avenue/2nd Floor, between 71st and 72nd Avenues Subway: Take the E, F, G, R, or V to Jackson Heights/ Roosevelt Avenue Hours: See Schedule 2    Language: ∞	
<b>JAMAICA:</b> FIRST PRESBYTERIAN CHURCH (Opens January 24*) 89-80 164th Street between Jamaica and 89th Avenues Jamaica, NY 11452 Subway: E, J, Z to Jamaica Center; F to 169th Street Hours: See Schedule 2    Language: ∞	
<b>CORONA:</b> NY ACORN EITC Hiram Monserrate Campaign Headquarters 40-53 99th Street Subway: 7 to 103rd/Corona Plaza Hours: Tues-Friday 2-8 Sat-Sun 12-5    Language: △	
<b>FLUSHING:</b> NY ACORN EITC YKASEC 136-19 41st Avenue/3rd Floor, between Union and Main Streets Subway: 7 to Main Street/Flushing Hours: (Not Yet Decided)    Language: English/Korean/Cantonese/Mandarin	
<b>STATEN ISLAND</b>	
<b>ST. GEORGE:</b> STATEN ISLAND BANK AND TRUST (Opens January 24*) 15 Hyatt Street, between Central Avenue and Stuyvesant Place Subway: Take the Staten Island Railway to St. George station Hours: See Schedule 2    Language: △	

All tax sites listed are IRS approved VITA Sites and authorized to do Electronic Filing

# Protest Rent Increases!

**Friday, April 22, 9:00 a.m.**  
 Protest Against Phony Price Index!  
 NYC Rent Guidelines Board  
 City Planning Commission  
 22 Reade St., Manhattan

**Sunday, May 1, 2-3 p.m.**  
 Picket!  
 Mayor Bloomberg's Townhouse  
 17 East 79 St., Manhattan



## NYC Rent Guidelines Board 2005 Schedule of Meetings and Hearings

Tuesday, March 29  
 Public Meeting  
 Dept. of City Planning, Spector Hall,  
 22 Reade St., Manhattan  
 9:30 a.m.—12:30 p.m.

Tuesday, April 12  
 Public Meeting  
 Dept. of City Planning, Spector Hall,  
 22 Reade St., Manhattan  
 9:30 a.m.—12:30 p.m.

Friday, April 22  
 Public Meeting  
 Dept. of City Planning, Spector Hall,  
 22 Reade St., Manhattan  
 9:30 a.m.—12:30 p.m.

Monday, May 2  
 Public Meeting  
 (Invited Group Testimony)  
 Dept. of City Planning, Spector Hall,  
 22 Reade St., Manhattan  
 9:30 a.m.—5:30 p.m.  
 Apartment Tenants: 9:45 a.m.—  
 11:45 a.m.; Apartment Owners:  
 1:00 p.m.—3:00 p.m.; Hotel Ten-  
 ants: 3:15 p.m.—4:00 p.m.; Hotel  
 Owners: 4:00 p.m.—4:45 p.m., De-  
 liberation: 4:45 p.m.—5:30 p.m.

**Tuesday, May 3**  
**Public Meeting (Preliminary**  
**Vote)**  
**Great Hall at Cooper Union**  
**7 E. 7th St. (at corner of 3rd**  
**Ave.), Manhattan**  
**5:30 p.m.—9:30 p.m.**

Thursday, June 2  
 Public Meeting  
 Department of City Planning  
 Spector Hall, 22 Reade St., Man-  
 hattan  
 9:30 a.m.—12:30 p.m.

Tuesday, June 14th  
 Public Hearing (Public Testimony)  
 NYC College of Technology,  
 Kiltgord Auditorium  
 285 Jay St., Brooklyn  
 4:00 p.m.—10:00 p.m.

Thursday, June 16  
 Public Hearing (Public Testimony)  
 Great Hall at Cooper Union  
 7 E. 7th St. (at corner of 3rd Ave.),  
 Manhattan  
 10:00 a.m.—6:00 p.m.

**Tuesday, June 21**  
**Public Meeting (Final Vote)**  
**The Great Hall at Cooper**  
**Union**  
**7 E. 7th St. (at corner of 3rd**  
**Ave.), Manhattan**  
**5:30 p.m.—9:30 p.m.**

*For more information,*  
*contact the New York City*  
*Rent Guidelines Board,*  
*(212) 385-2934; e-mail,*  
*Ask@HousingNYC.com.*

## Brooklyn Hotel Tenants Win Rent Strike

Tenants of the Glenwood Hotel, a residential hotel in Brooklyn, won a rent strike in February in which the landlord recognized a newly formed tenants' association. He also agreed to deduct fire-related losses and expenses from the rent, completed some renovations of the shared bathrooms, and agreed to make further repairs on the building.

Although the one-month strike ended in a clear victory for tenants, much work remains to be done on the building and for the tenants. The landlord, Bart Gaber, agreed to continue to meet and discuss ongoing issues with representatives of the Glenwood Hotel Tenants Association. The association will continue to hold weekly general meetings.

The strike began on January 2. At its height, we had 70 out of roughly 130 tenants withholding rent. Toward the end, the landlord acknowledged that 25 people were still withholding rent, and he claimed losses of \$22,000 from the action. He ran into trouble maintaining basic services with the disruption of his cash flow, but he did not cut off those services. The hotel, on Broadway in Williamsburg, advertises rents of \$105 a week or \$420 a month.

The resolution of the strike en-

tailed paying the landlord one-half of the rent owed from the strike. The plan at the beginning of the strike was to pay rent into an escrow account, which only a few people did. The landlord agreed to be lenient in collecting the back rent owed from the strike from the individuals who participated.

We at the Glenwood Hotel Tenants Association look forward to joining the community of tenant activists in New York City, and to revolutionizing housing at our hotel and across our city.

—Nicholas Patti

## Tenant Alert Preferential Rents

If you are a rent-stabilized tenant paying a "preferential rent," your landlord may try to raise the rent by more than the RGB guideline when you renew your lease.

You may not have to pay such an increase, tenant lawyers say, despite the 2003 changes in the state's rent laws.

An article on this will appear next month.

## WHERE TO GO FOR HELP

**LOWER EAST SIDE BRANCH** at  
 Cooper Square Committee  
 61 E. 4th St. (btwn. 2<sup>nd</sup> Ave. & Bowery)  
 Tuesdays ..... 6:30 pm

**CHELSEA COALITION**  
**ON HOUSING**  
 Covers 14<sup>th</sup> St. to 30<sup>th</sup> St., 5<sup>th</sup> Ave. to the  
 Hudson River.  
 322 W. 17<sup>th</sup> St. (basement), CH3-0544  
 Thursdays ..... 7:30 pm

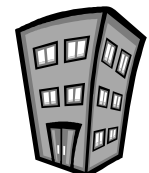
**GOLES (Good Old Lower East**  
**Side)**  
 525 E. 6<sup>th</sup> St. (btwn. Aves. A & B) Lower  
 East Side tenants only, 212-533-2541.

**HOUSING COMMITTEE OF RENA**  
 Covers 135<sup>th</sup> St. to 165<sup>th</sup> St. from Riverside  
 Dr. to St. Nicholas Ave.,  
 544 W. 157<sup>th</sup> St. (basement entrance).  
 Thursdays ..... 8 pm

**LOWER MANHATTAN**  
**LOFT TENANTS**  
 St. Margaret's House, Pearl & Fulton Sts.,  
 212-539-3538  
 Wednesdays ..... 6 pm-7 pm

**VILLAGE INDEPENDENT**  
**DEMOCRATS**  
 26 Perry St. (basement), 212-741-2994  
 Wednesdays ..... 6 pm

**WEST SIDE TENANTS UNION**  
 4 W. 76 St.; 212-595-1274  
 Tuesday & Wednesday ..... 6-7 pm



# METROPOLITAN COUNCIL ON HOUSING

Met Council is a citywide tenant union.

Our phones are open to the public  
 Mondays, Wednesdays & Fridays from 1:30 to 5 p.m.

We can briefly answer your questions, help you  
 with organizing or refer you to other help.

**212-979-0611**

## Join Met Council

Membership: Individual, \$25 per year; Low-income, \$15 per year; family (voluntary: 2 sharing an apartment), \$30 per year. Supporting, \$40 per year. Sustaining, min. of \$100 per year (indicate amount of pledge). For affiliation of community or tenant organizations, large buildings, trade unions, etc. call 212-979-6238.

My apartment  controlled  stabilized  unregulated  other \_\_\_\_\_  
 I am interested in volunteering my time to Met Council. Please call me to schedule times and duties. I can  counsel tenants,  do office work,  lobby public officials,  attend rallies/protests.

Name \_\_\_\_\_

Address \_\_\_\_\_ Apt. No. \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Home Phone Number \_\_\_\_\_ Email \_\_\_\_\_

Send your check or money order with this form to:  
 Metropolitan Council on Housing, 339 Lafayette St., NY, NY 10012